REMARKS

Claims 1-36 are pending in the application.

Claims 1-36 have been rejected.

I.   REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-36 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kuhn et al. (U.S. 6,327,565) ("*Kuhn*"). The rejection is respectfully traversed.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

Kuhn recites a voice recognition system that uses training data from multiple speakers to generate a set of eigenvectors. (*Col. 4, Lines 20-25 and 59-64*). The eigenvectors represent "uncorrelated" vectors defining dimensions "across which different speakers may be differentiated." (*Col. 4, Line 66 - Col. 5, Line 1*). The eigenvectors also define an eigenspace. (*Col. 4, Lines 64-65*). For a new user, the system constructs a supervector in the eigenspace, and a model is generated using the supervector. (*Col. 5, Lines 40-58*). The model may then be used to perform speech recognition. (*Col. 2, Lines 4-9*).

With respect to independent Claims 1, 7, 8 and 35, *Kuhn* fails to disclose using a plurality of speech models to generate a hybrid speech model, where each of the plurality of speech models is a "different representation of [a] given speech element." Instead, *Kuhn* uses a set of "uncorrelated" vectors to generate a model for a new user. *Kuhn*'s uncorrelated eigenvectors are not different representations of the same speech element. As a result, *Kuhn* fails to show each and every element of Applicants' invention as claimed in independent Claims 1, 7, 8 and 35 (and dependent Claims 2-6).

Regarding Claim 9, *Kuhn* fails to disclose using a "first set" of speech models to generate a "hybrid speech model" and using a "second set" of speech models to generate a "complex speech model." The Office Action asserts that a "speaker dependent [model] 44" in *Kuhn* corresponds to the first set of speech models recited in Claim 9 and that an "adapted [model] 52" in *Kuhn* corresponds to the second set of speech models recited in Claim 9. The Office Action also asserts that the "adapted model 52" also corresponds to the complex speech model recited in Claim 9. (*Office Action, Page 6, Second paragraph*). The Applicants respectfully submit that the Office Action appears to be using the same component of *Kuhn* (the "adapted model 52") to allege anticipation of both the "second set of speech models" and the "complex speech model" recited in Claim 9. Therefore, the Office Action has failed to establish a prima facie case of anticipation because *Kuhn* fails to show both "a second set of speech models" and "a complex speech model." As a result, *Kuhn* fails to show each and every element of Applicants' invention as recited in independent Claim 9 (and dependent Claims 10-17).

With respect to independent Claim 18, *Kuhn* fails to disclose a single "data structure for storing a plurality of model groups," where each model group comprises "a plurality of speech models." As a result, *Kuhn* fails to teach each and every element of Applicants' invention as claimed in Claim 18 (and dependent Claims 19 and 20).

Regarding independent Claims 21 and 36, *Kuhn* uses a set of eigenvectors to generate a model for a new user. *Kuhn* does not describe identifying a speech model that represents a "potential match" to at least one speech element and then further processing that speech model. Therefore, *Kuhn* fails to teach each and every element of Applicants' invention as recited in independent Claims 21 and 36 (and dependent Claims 22-34).

Accordingly, the Applicants respectfully request the Examiner withdraw the § 102(e) rejection of Claims 1-36.

II.   CONCLUSION

As a result of the foregoing, the Applicants assert that the pending claims in the Application are in condition for allowance and respectfully request full allowance of such claims.
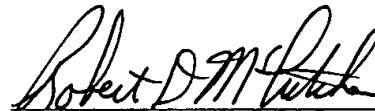
If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *rmccutcheon@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 01/28/2003

Robert D. McCutcheon
Registration No. 38,717

P.O. Drawer 800889
Dallas, Texas 75380
(972) 628-3632 (direct dial)
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: rmccutcheon@davismunck.com